

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

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Jeremiah Danley, #256950,

Petitioner,

v.

Warden Wateree Correctional
Institution,


Respondent.

Civil Action No. 0:08-2006-SB

ORDER

This matter is before the Court on the *pro se* Petitioner's request for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Pursuant to Local Rule 73.02(B)(2)(a), this matter was referred to a United States Magistrate Judge for preliminary review.

On July 23, 2009, the Magistrate Judge issued a report and recommendation ("R&R"), analyzing the issues and recommending that the Court grant the Respondent's motion for summary judgment. Attached to the R&R was a notice advising the Petitioner that he may file specific, written objections to the R&R within ten days after being served with a copy. To date, no written objections have been filed.

 Absent timely objection from a dissatisfied party, a district court is not required to review, under a *de novo* or any other standard, a Magistrate Judge's factual or legal conclusions. Thomas v. Arn, 474 U.S. 140, 150 (1985); Wells v. Shriner's Hosp., 109 F.3d 198, 201 (4th Cir. 1997). Here, because no objections have been filed, the Court need not conduct a *de novo* review of any portions of the R&R. Accordingly, after review the Court adopts the Magistrate Judge's R&R and finds the Petitioner's § 2254 petition untimely filed, and it is hereby

ORDERED that the Respondent's motion for summary judgment (Entry 22) is granted.

IT IS SO ORDERED.

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August 12, 2009
[Signature]
Charleston, South Carolina

[Signature]
The Honorable Sol Blatt, Jr.
Senior United States District Judge

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